**Marshall County Board of Supervisors**
**Regular Session December 21, 2010, at 9:00 a.m.**

## MINUTES

The Board met in regular session on Tuesday, December 21, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with all 3 members present.

**1. Approval or Amendment of Agenda—**

Motion by Grabenbauer, second by Brooks, to approve the agenda as printed.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**2. Mental Health and Developmental Disabilities Policies and Procedures Manual, Public Hearing--**
At the public hearing, any resident may present objections to or arguments in favor of any part of the Mental Health and Developmental Disabilities Policies and Procedures Manual.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 23 individuals attending the public hearing, one individual(s) presented oral comments, questions, or objections at the hearing.

Motion by Brooks, second by Grabenbauer, to close the public hearing.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**3. Mental Health and Developmental Disabilities Policies and Procedures Manual—** Discussion and possible action on approval of the MH/DD Policies and Procedures Manual.

Motion by Grabenbauer, second by Brooks, to approve the MH/DD Policies and Procedures Manual.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**Consent Agenda:**

**4. Approve Minutes--** from Regular Session of December 7, 2010

**5. Approve Band Shell Rental Agreement**-Marshall County Arts and Culture Alliance requests to use the Mobile Band Shell at Fisher Community Center, Sunday, July 17, 2011 for the Linn Creek Arts Festival.

**6. Accept Secondary Road Annual Report**-FY 2010

**7. Appointments-Commencing January 1, 2011:**

**a. Condemnation Compensation Commission –** 1-year term:
Owner-Operators of Agricultural Property:
Don E. Pfantz, , Clair Long, Gene Wiemers, Don Wogen, David Scott, Virtus Brockman
Real Estate Salespersons or Real Estate Brokers
Dean Elder, Martha Garcia, Deb Block, Christopher Brodin, Carolyn Koll, Val Alkire, G. Ward Miller
Owners of City Property
Larry Southard, Wendell Harmon, Sarah Hesmer, Helen Settle, Howard Stegmann, Derol Hafar, Edward Eugene Neven, Jean Clawson.
Persons Having Knowledge of Property Values by Reason of Their Occupation
Joseph Armbrecht, Jim Bacino, Cecil Buschbom, Russ D. Paul, Wayne McDonald, Dean Elder Jr., Joseph W. Ludley

**8. Approve Claims –**as audited and authorize the County Auditor to issue payment of same. The listing of claims paid at this meeting will be included with all claims paid for the month of December; the December list of claims will be a part of the first meeting in January.

Motion by Brooks, second by Grabenbauer, to approve the consent agenda as printed above.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**9. Marshall Economic Development Impact Committee Update— Joel Akason** will give an update on MEDIC project called Marshalltown Works and future goals of MEDIC.

**10. Lease/Purchase Financing, Set Hearing—**

Motion by Grabenbauer, second by Brooks, to set January 18, 2011, at 9:00 a.m. in Courthouse meeting room #2, as the time and place for a public hearing on proposed lease/purchase financing for sheriff's vehicles in the 2011-12 County Budget.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**11. Set Hearing on Proposed 2010-2011 Marshall County Budget Amendment –**
Motion by Brooks, second by Grabenbauer, to set January 18, 2011, at 9:00 a.m. in Courthouse meeting room #2 as the time and place to conduct a public hearing on the proposed 2010-11 County Budget Amendment.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**12. Marshall County Cost Allocation-Cost Advisory Services, Inc. Report—**The fiscal year 2010 cost allocation plan will result in a total reimbursement of $36,350 for indirect cost recoveries regarding the local Department of Human Services Office.

Motion by Grabenbauer, second by Brooks, to accept this report.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**13. Resolution 2010-0026**

**Resolution--Assessed/Taxable Values of Utility Companies—**

Be It Resolved, that pursuant to Section 433.9, Code of Iowa, there be ordered entered in the minute book the length of lines and the assessed value of the property of each of the following utility companies situated in each city, township, or lesser taxing district in its county as fixed by the Director of Revenue & Finance and certified to the County Auditor. These values shall constitute the taxable value for 2010 property taxes, payable in 2011-2012, and the taxes on said property when collected by the County Treasurer shall be disposed of as other taxes on real estate. A detailed report showing the value for each company, by taxing district, is on file in the County Auditor's office.

| **RAILROAD** | MILES | X RATE PER MILE | = VALUE CERT BY DEPT. OF REV. | TAXABLE VALUE |
|---|---|---|---|---|
| Union Pacific Railroad | 41.89 | 388,506.8366 | 16,274,551 | 16,274,551 |
| Iowa River Railroad | 13.50 | 30,726.2569 | 414,804 | 414,804 |
| TOTAL | | | 16,689,355 | 16,689,355 |

| **COMMERCIAL** | MILES | X RATE PER MILE | = VALUE CERT BY DEPT. OF REV. |
|---|---|---|---|
| TELEPHONE & TELEGRAPH | | | |
| Century Tel Fiber Co II | 27.91 | 4,319.9416 | 120,570 |
| Heart of Iowa Comm. Coop | 591.02 | 5,828.6738 | 3,444,863 |
| Heart of Iowa Ventures | 39.73 | 24,414.7998 | 970,000 |
| Iowa Telecom | 59.05 | 8,505.4429 | 502,246 |
| Paetec fka McLeod USA Network | 78.00 | 5,717.3421 | 445,953 |
| Partner Comm. Coop. | 296.38 | 6,883.6123 | 2,040,165 |
| Minerva Valley Tel. Co. | 100.13 | 4,233.8026 | 423,931 |
| Qwest | 466.81 | 23,103.3444 | 10,784,872 |
| Sprint | 26.44 | 6,087.7028 | 160,959 |
| MCC Telephony of Iowa | 204.86 | 2,078.5707 | 425,816 |
| TOTAL | | | 19,319,375 |

| | ASSESSED VALUE CERT. | TAXABLE VALUE CERT. |
|---|---|---|

| | BY DEPT. OF REV. | BY DEPT. OF REV. |
|---|---|---|
| Interstate Power & Light | 140,787,277 | 64,213,930 |
| ITC Midwest LLC | 32,401,790 | 6,603,754 |
| Consumers Energy | 6,973,494 | 1,409,188 |
| Consumers Development LLC | 61,896 | 0 |
| Central Iowa Power Coop | 2,282,073 | 1,077,721 |
| Grundy Co. REC | 394,415 | 133,825 |
| Mid American Energy | 427,958 | 300,137 |
| Midland Power Coop | 26,900 | 8,960 |
| State Center Municipal Light Plant | 97,727 | 137,893 |
| TOTAL | 183,453,530 | 73,885,408 |

| | ASSESSED VALUE CERT. BY DEPT. OF REV. |
|---|---|
| NuStar Ammonia | 769,786 |
| Northern Border Pipeline | 1,151,821 |
| Northern Natural Gas Co | 1,644,367 |
| TOTAL | 3,565,974 |

VALUE CERT BY
DEPT. OF REVENUE

| | ASSESSED | TAXABLE |
|---|---|---|
| GRAND TOTAL OF ALL UTILITIES IN MARSHALL CO. | **223,028,234** | **113,460,112** |

Dated at Marshalltown, Iowa this 21st day of December 2010.

Motion by Brooks, second by Grabenbauer, to approve this Resolution.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

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_____ Attest:_____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
County Auditor

**Resolution 2010-0027**

**14. Resolution - 2010 Homestead and Family Farm Credits and Military Service Tax Exemptions—**

Whereas, pursuant to Iowa Code 425.3, 425A.3, and 426A.14 the Marshall County Board of Supervisors has received the Homestead Tax Credit claims, Family Farm Tax Credit claims and the Military Service Tax Exemption claims from the County Auditor for the 2010 taxes, payable 2011-2012.

Be It Resolved, that all claims filed are allowed except those recommended for disallowance by the County Assessor, a list of which is on file in the County Auditor's Office.

Be It Further Resolved that the Chairman of the Board is hereby authorized to sign notices of disallowance to claimants whose applications for Homestead Tax Credits, Family Farm Credits and Military Service Tax Exemptions have been disallowed.

Dated at Marshalltown, Iowa this 21st day of December, 2010.

Motion by Grabenbauer, second by Brooks, to adopt this Resolution and authorize the Chairman to sign letters of disallowance.

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|---|---|---|---|
| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
| | Member | Chairman | Vice Chairman |

_____ Attest: _____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor

**15. To set the Date and Time for a Public Hearing concerning CIRSI Community Development Block Grant Application Project**- Marty Wymore from Region VI is working with CIRSI on a Community Development Block Grant application. To set the date of Tuesday, January 4, 2011 at 9:00 a.m. for the public hearing.

Motion by Brooks, second by Grabenbauer, to set the public hearing date for Tuesday, January 4, 2011 at 9:00 a.m.

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|---|---|---|---|
| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
| | Member | Chairman | Vice Chairman |

**16. Resolution 2010-0028---**Discussion and possible action on approval of the 28E Agreement between the Marshall County Joint Service Board and the Marshall County, Iowa regarding the operation of the Marshall County Public Safety Communications Center --

**Resolution 2010-0028**

**RESOLUTION APPROVING THE 28E AGREEMENT BETWEEN THE MARSHALL COUNTY JOINT SERVICE BOARD AND MARSHALL COUNTY, IOWA, REGARDING OPERATION OF THE MARSHALL COUNTY PUBLIC SAFETY COMMUNICATIONS CENTER**

**WHEREAS the Marshall County Joint Service Board, has negotiated a 28E Agreement with Marshall County, Iowa, regarding Operation of the Marshall County Public Safety Communications Center; and**

**WHEREAS the Board finds that this Agreement, is in the best interests of the County.**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF MARSHALL, IOWA:**

Section1. That the attached 28E Agreement, with Marshall County, Iowa regarding Operation of the Marshall County Joint Service Board is hereby approved in all respects and particulars.

Section 2. The Agreement shall remain in effect until participation in this Agreement is terminated by either party by written notice.

Section 3. That Board Chairman and Auditor are hereby authorized and directed to execute said Agreement on behalf of the County of Marshall, Iowa, and the 911 Public Safety Communications Supervisor is authorized and directed to file this Agreement with the Secretary of State.

Passed this 21st day of December 2010, and signed this 21st day of December 2010.

Marshall County, Iowa

_____
Board of Supervisor, Chairman

ATTEST:

_____
County Auditor

Motion by Grabenbauer, second by Brooks, to adopt this Resolution. A copy of the Marshall County Enhanced 911 Service Board Agreement is on file in the Board of Supervisors office.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**17. Secondary Road-Approval of Contract for Project STP-E-C064 (108)--** Discussion and possible action on the approval of the contract with Con-Struct, Inc. of Ames, IA in the amount of $1,096,400.30. This project consists of concrete recreational trail from the Grimes Farm Conservation Center to Highway S75(Marsh Ave.)

Motion by Brooks, second by Grabenbauer, to approve this Contract with Con-Struct, Inc. of Ames, Iowa in the amount of $1,096,400.30.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**18. Secondary Road Certificate of Completion—**on the following project: Project FM-TSF-C064(112)—5B-64, a contract with OMG Midwest, Inc. d/b/a Cessford Construction Co. let July 20, 2010, and dated August 20, 2010 consisting of HMA Resurfacing of E35 and T29 from the east corporation limits of Marshalltown east to Three Bridges Road; adding a 3-foot wide paved shoulder; adding shoulder rumble strips at curves; and milling all-weather pavement markings.

Motion by Grabenbauer, second by Brooks, to approve the Certificate of Completion.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**19. Secondary Road Certificate of Completion—**on the following project: Project L-TSF-C064(111)—74-64, signing improvements to E35 and T29 from the east corporation limits of Marshalltown east to Three Bridges Road including new chevron signs, deer crossing signs, and flashing red lights over the stop signs.

Motion by Brooks, second by Grabenbauer, to approve the Certificate of Completion.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**20. Compensation for County Auditor and Recorder & County Treasurer-** Presentations and discussion concerning the salary for County Auditor and Recorder & Treasurer for the period from Jan. 1, 2011 to June 30, 2011.

Motion by Brooks, second by Grabenbauer, to set salary for Treasurer at $51,941, effective Jan 1, 2011 to June 30, 2011.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Aye |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

Motion by Goecke, second by_____, to set Auditor salary at $57,396, effective Jan 1, 2011 to June 30, 2011.

Motion died for lack of a second.

Motion by Brooks, second by Goecke, to set Auditor's annual salary at $53,967.88, effective Jan. 1, 2011 to June 30, 2011.

| Roll call vote: | Brooks-Aye | Goecke-Aye | Grabenbauer-Nay |
|---|---|---|---|
| | Member | Chairman | Vice Chairman |

**21. Public Forum**—Supervisor Grabenbauer gave presentation to Supervisors Goecke and Brooks for their years of service by awarding them a key to the County. Incoming Supervisor Dave Thompson thanked outgoing Supervisors Goecke and Brooks for their cooperation during the period of transition.

**22. Adjournment**-- The first scheduled meeting of 2011 is January 3rd, 2011 at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by Thursday, December 30, 2010, at 1:00 p.m. **The next regularly scheduled meeting is January 4, 2011 at 9:00 a.m. All business to be acted upon at that session should also be submitted by Thursday, December 30, 2010.** There being no further business to come before the Board, the meeting was adjourned at 11:15 a.m.

_____ Attest: _____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor